REMARKS

I.   Overview

Claims 1-20 are pending in the application. In the non-final Office Action mailed February 16, 2004 ("Office Action"), claims 1-20 were rejected. Claim 13 has been amended to recite additional language supported by the as-filed specification. No new matter has been added. The issues in the Office Action are:

- Claims 1-3, 6, 13, 17, and 19-20 were rejected under 35 U.S.C. § 102(e) as anticipated by *Wheeler et al.* (U.S. Patent No. 6,738,759, hereinafter *Wheeler*).

- Claims 14-15 and 18 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Wheeler* in view of *Talib et al.* (U.S. Patent Publication No. 2001/0049677, hereinafter *Talib*).

- Claim 4 is rejected under 35 U.S.C. § 103(a) as being unpatentable over *Wheeler* in view of *Weiss et al.* (U.S. Patent Publication No. 2002/0138487, hereinafter *Weiss*).

- Claim 5 is rejected under 35 U.S.C. § 103(a) as being unpatentable over *Wheeler* in view of *Barr et al.* (U.S. Patent No. 5,742,816, hereinafter *Barr*).

- Claims 7-12 and 16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Wheeler* in view of *Lin et al.* (U.S. Patent No. 6,675,159, hereinafter *Lin*).

Applicant hereby traverses the outstanding rejections and requests reconsideration and withdrawal of the rejections in light of the remarks contained herein.

II.   Claim Rejections under 35 U.S.C. § 102(e)

Claims 1-3, 6, 13, 17, and 19-20 were rejected under 35 U.S.C. § 102(e) as anticipated by *Wheeler*.

To anticipate a claim under 35 U.S.C. § 102, a reference must teach every element of the claim. *See* M.P.E.P. § 2131.

Claim 1 recites "ordering said selected ones of said identified documents based upon said calculated overall matching scores." The Examiner states that the scoring buffers of *Wheeler* "include an ordered set of scores og [sic] matching similarity of data item with search criteria." Applicants respectfully disagree. *Wheeler* teaches score buffers showing resulting scoring. *See* col. 18, lines 53-60. *Wheeler* further teaches summing of the scores. *See id.* at col. 18, lines 61-67. However, *Wheeler* does not teach ordering based upon overall matching scores. Accordingly, *Wheeler* does not teach at least "ordering said selected ones of said identified documents based upon said calculated overall matching scores," as recited in claim 1. Thus, *Wheeler* does not teach all elements of claim 1 and therefore does not anticipate claim 1 under 35 U.S.C. § 102(e).

Amended claim 13 recites "an interface for receiving search criteria defining at least one keyword query and at least one document attribute query, wherein said interface receives exclusion-weighting criteria." *Wheeler* teaches specifying search criteria for "scoring". *See* col. 10, lines 24-27. However, *Wheeler* does not teach exclusion-weighting of search criteria. *See* Application, page 9, lines 24-28. Accordingly, *Wheeler* does not teach at least the above-recited limitation of claim 13. Thus, *Wheeler* does not teach all elements of claim 13 and therefore does not anticipate claim 13 under 35 U.S.C. § 102(e).

Claim 17 recites "a system for searching for web pages on the Internet." Claim 17 further recites "means for ordering said recovered web pages in order of decreasing value of said established web page search result rank." *Wheeler* teaches a system for optimizing the detecting and scoring of similarities between documents in a source database and search criteria. *See* Abstract. *Wheeler* teaches score buffers showing resulting scoring. *See* col. 18, lines 53-60. *Wheeler* further teaches summing of the scores. *See id.* at col. 18, lines 61-67. However, *Wheeler* does not teach ordering recovered web pages in order of decreasing value of the established web page search result rank. Nor does *Wheeler* teach a system for searching for web pages on the Internet. Accordingly, *Wheeler* does not teach at least the above-recited limitations of claim 17. Thus, *Wheeler* does not teach all elements of claim 17 and therefore does not anticipate claim 17 under 35 U.S.C. § 102(e).

Claims 2-3, 6, and 19-20 depend directly or indirectly from claims 1 and 17. As such, they comprise all limitations of the base claim from which they depend. As shown above, *Wheeler* does not teach all limitations of each of claims 1 and 17. Accordingly, *Wheeler* does not teach all limitations of claims 2-3, 6, and 19-20. Thus, *Wheeler* does not anticipate claims 2-3, 6, and 19-20 under 35 U.S.C. § 102(e).

III.   Claim Rejections under 35 U.S.C. § 103(a)

Claims 4, 5, 7-12, 14-16, and 18 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Wheeler* in view of various references.

To establish a prima facie case of obviousness, three basic criteria must be met. *See* M.P.E.P. § 2143. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. Without conceding the first or second criteria, Applicant respectfully asserts that the references do not teach or suggest all the claim limitations.

A.   Claims 14-15 and 18

Claims 14-15

Claims 14-15 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Wheeler* in view of *Talib*. Claims 14-15 depend directly from claim 13. As such, claims 14-15 comprise all limitations of base claim 13 from which it depends. As shown above, *Wheeler* does not teach or suggest the claim 13 limitation of "an interface for receiving search criteria defining at least one keyword query and at least one document attribute query, wherein said interface receives exclusion-weighting criteria." Accordingly, *Wheeler* does not teach or suggest all limitations of claim 13. *Talib* is not relied upon as curing at least this deficiency of *Wheeler* with respect to claims 14-15. Thus, *Wheeler* in view of *Talib* does not teach or suggest all claim limitations of claims 14-15. Accordingly, claims 14-15 are not obvious over the cited references.

Claim 18

Claim 18 is rejected under 35 U.S.C. § 103(a) as being unpatentable over *Wheeler* in view of *Talib*. Claim 18 depends directly from claim 17. As such, claim 18 comprises all limitations of base claim 17 from which it depends. As shown above, *Wheeler* does not teach or suggest at least the claim 17 limitation of "means for ordering said recovered web pages in order of decreasing value of said established web page search result rank." Accordingly, *Wheeler* does not teach or suggest all limitations of claim 18. *Talib* is not relied upon as curing at least this deficiency of *Wheeler* with respect to claim 18. Thus, *Wheeler* in view of *Talib* does not teach or suggest all claim limitations of claim 18. Accordingly, claim 18 is not obvious over the cited references.

B.   Claim 4

Claim 4 is rejected under 35 U.S.C. § 103(a) as being unpatentable over *Wheeler* in view of *Weiss*. Claim 4 depends indirectly from claim 1. As such, claim 4 comprises all limitations of base claim 1 from which it depends. As shown above, *Wheeler* does not teach or suggest at least the claim 1 limitation of "ordering said selected ones of said identified documents based upon said calculated overall matching scores." Accordingly, *Wheeler* does not teach or suggest all limitations of claim 4. *Weiss* is not relied upon as curing at least this deficiency of *Wheeler* with respect to claim 4. Thus, *Wheeler* in view of *Weiss* does not teach or suggest all claim limitations of claim 14. Accordingly, claim 14 is not obvious over the cited references.

C.   Claim 5

Claim 5 is rejected under 35 U.S.C. § 103(a) as being unpatentable over *Wheeler* in view of *Barr*. Claim 5 depends indirectly from claim 1. As such, claim 5 comprises all limitations of base claim 1 from which it depends. As shown above, *Wheeler* does not teach or suggest at least the claim 1 limitation of "ordering said selected ones of said identified documents based upon said calculated overall matching scores." Accordingly, *Wheeler* does not teach or suggest all limitations of claim 5. *Barr* is not relied upon as curing at least this deficiency of *Wheeler* with respect to claim 5. Thus, *Wheeler* in view of *Barr* does not teach

or suggest all claim limitations of claim 5. Accordingly, claim 5 is not obvious over the cited references.

D.   Claims 7-12 and 16

Claims 7-12

Claims 7-12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Wheeler* in view of *Lin*. Claims Each of claims 7-12 depend indirectly from claim 1. As such, claims 7-12 comprises all limitations of base claim 1 from which they depend. As shown above, *Wheeler* does not teach or suggest at least the claim 1 limitation of "ordering said selected ones of said identified documents based upon said calculated overall matching scores." Accordingly, *Wheeler* does not teach or suggest all limitations of claims 7-12. *Lin* is not relied upon as curing at least this deficiency of *Wheeler* with respect to claims 7-12. Thus, *Wheeler* in view of *Lin* does not teach or suggest all claim limitations of claims 7-12. Accordingly, claims 7-12 are not obvious over the cited references.

Claim 16

Claim 16 is rejected under 35 U.S.C. § 103(a) as being unpatentable over *Wheeler* in view of *Lin*. Claim 16 depends directly from claim 13. As such, claim 16 comprises all limitations of base claim 13 from which it depends. As shown above, *Wheeler* does not teach or suggest at least the claim 13 limitation of "an interface for receiving search criteria defining at least one keyword query and at least one document attribute query, wherein said interface receives exclusion-weighting criteria." Accordingly, *Wheeler* does not teach or suggest all limitations of claim 16. *Lin* is not relied upon as curing at least this deficiency of *Wheeler* with respect to claim 16. Thus, *Wheeler* in view of *Lin* does not teach or suggest all claim limitations of claim 16. Accordingly, claim 16 is not obvious over the cited references.

IV.   Conclusion

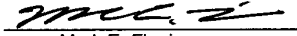In view of the above amendment, Applicant believes the pending application is in condition for allowance.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 08-2025, under Order No. 10005531-1, from which the undersigned is authorized to draw.
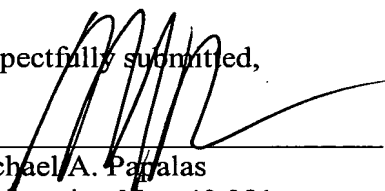
Dated: May 16, 2005

Respectfully submitted,

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I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV482707995US, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: May 16, 2005

Signature: _____
                      Mark E. Flanigan